HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION NO. 8532 OF 2007

DATE: 24.04.2006

BETWEEN

1. M/s Chandana Rice & Flour Mills represented by its Proprietor Goli Veera Raju S/o Venkata Raju

....Petitioners

AND

1. The Managing Director, Andhra Pradesh Eastern Power Distribution Company Limited, Ganjipet, Visakhapatnam and three others.

.... Respondents

HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION NO. 8532 OF 2007

ORAL ORDER:

The petitioner is a Rice and Flour Mill and it is connected with power supply through Service No. M-609 000338/0 under L.T. Category III-A with a contracted load of 52.680 HP. The third respondent issued a letter dated 18.2.2005 requiring the petitioner to switch over to H.T Category-I. Aggrieved thereby, the petitioner filed Writ Petition No. 8774 of 2005 before this Court. The Writ Petition was disposed of by an order dated 20th April 2005 leaving it open to the petitioner to approach the authorities of the Distribution Company. It is in this context that the petitioner presented an appeal/ representation dated 28.5.2005 before the Assistant Accounts Officer (E.R.O), the fourth respondent herein.

It is stated that the matter is still pending disposal with the 4th respondent. Petitioner submits that even while the matter is pending, the consumption charges are being levying by treating the power supply as the one under H.T-I category.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The petitioner felt aggrieved by the letter issued by the third respondent approached the Assistant Accounts Officer of the Distribution Company. The fact remains that the categorization of power supply is yet to be changed. Unless and until formal orders are passed changing the categorization, the petitioner cannot be levied the consumption charges under H.T.-I Category.

For the foregoing reasons, the Writ Petition is allowed and the respondents are directed not to treat the power supply to the

petitioner as that of H.T-I category nor shall issue bill on that basis, till the Assistant Accounts Officer (E.R.O) of the Distribution Company, disposes of the representation pending before him. There shall be no order as to costs.

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L. NARASIMHA REDDY, J

Date: 24.04.2007
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